

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

<b>BLUE SPIKE, LLC</b>	§	<b>CIVIL ACTION NO. 6:12-CV-499 MHS</b>
	§	
<b>Plaintiff</b>	§	<b>LEAD CASE</b>
	§	
<b>v.</b>	§	
	§	
<b>TEXAS INSTRUMENTS, INC., et al.</b>	§	<b>JURY TRIAL DEMANDED</b>
	§	
<b>Defendant.</b>	§	
	§	
	§	
<b>BLUE SPIKE, LLC</b>	§	<b>CIVIL ACTION NO. 6:13-CV-89</b>
	§	
<b>Plaintiff</b>	§	<b>CONSOLIDATED CASE</b>
	§	
<b>v.</b>	§	
	§	
<b>MORPHOTRAK, INC. and SAFRAN USA, INC.,</b>	§	
	§	
<b>Defendants.</b>	§	
	§	
	§	

**DECLARATION OF DANIEL JOHNSON, JR. IN SUPPORT OF DEFENDANTS  
MORPHOTRAK, INC. and SAFRAN USA, INC.’S MOTION TO TRANSFER VENUE  
PURSUANT TO 28 U.S.C. § 1404(a)**

I, Daniel Johnson, Jr., do hereby declare and state as follows:

1. I am an attorney licensed to practice law in the State of California. I am a partner with the law firm of Morgan, Lewis & Bockius LLP, and am counsel for Defendants MorphoTrak, Inc. (“MorphoTrak”) and Defendant Safran USA, Inc. (“Safran U.S.A.”) (collectively, “Defendants”), in the above-captioned matter. I have personal knowledge of the foregoing, and, if called upon to testify in this matter, I could and would testify competently to the matters stated herein.

2. I contacted Plaintiff's counsel, Mr. Christopher Honea, by telephone on March 29, 2013, at his office in San Rafael, California, located in the San Francisco Bay Area. I obtained the contact number from page 21 of the Complaint. I requested Plaintiff's consent to transfer the action to the Central District of California. Plaintiff's counsel, Mr. Honea, did not consent to the transfer.

3. Attached as Exhibit 1 is a true and correct copy of Plaintiff Blue Spike, Inc.'s Articles of Organization filed on May 14, 2012.

4. Attached as Exhibit 2 is a true and correct copy of a printout from the Texas Secretary of State's website with information current as of March 29, 2013.

5. Attached as Exhibit 3 is a true and correct copy of Plaintiff Blue Spike, Inc.'s Contact page listing their office locations.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 3rd day of April, 2013, in San Francisco, California.

/s/ Daniel Johnson, Jr. \_\_\_\_\_  
Daniel Johnson, Jr.